

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of	:	Customer Number: 53080
	:	
Tetsuya HAYASHI, et al.	:	Confirmation Number: 9484
	:	
Application No.: 10/576,421	:	Tech Center Art Unit: 1795
	:	
Filed: April 19, 2006	:	Examiner: Rademaker, Claire L
	:	
For: LITHIUM ION SECONDARY BATTERY AND PRODUCTION METHOD THEREOF		

**NOTICE OF APPEAL  
FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated January 6, 2009 of the Primary Examiner finally rejecting claims 1-8.

Appeal Fee: \$540.00

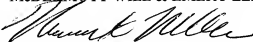
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Not required (fee paid in prior appeal in this application).  
Charge to Deposit Account No. 500417.  
Check Enclosed.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

  
for Michael E. Fogarty  
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Reg No 53,308

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Facsimile: 202.756.8087  
Date: June 5, 2009

**Please recognize our Customer No. 53080  
as our correspondence address.**